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COURSE MATERIALS

I. REQUIRED MATERIAL

Labour Law 5th edition (Queen's Ind. Rel. Centre, 1991)
Macklem, Langille & Beatty, Labour Law Supplement (1994-5)
Ontario Employment and Labour Law, Carswell, 1993

II. BACKGROUND MATERIAL

A. Canadian

1. Beatty, Putting the Charter to Work (McGill/Queen's 1987)
2. Weiler, Reconcilable Differences (Carswell, 1981)
3. Arthurs, Carter, Glasbeek, Labour Law and Industrial Relations in Canada (3d ed. 1988)
4. Adams, Canadian Labour Law (2nd edit) (Canada Law Book, 1992)
5. Sack and Mitchell, Ontario Labour Relations Board Law and Practice (Butterworths, 1985)
6. Christie, Employment Law in Canada (Butterworths, 1980)
7. Swan and Swinton, Studies in Labour Law (Butterworths, 1980)
8. Dorsey, Canadian Labour Relations Board: Federal Law and Practice (Carswell, 1983)
9. Foisy et al., Canadian Labour Relations Board Policies and Procedures (Butterworths, 1986)
10. Panitch and Swartz, The Assault on Trade Union Freedoms (Garamond, 1988)
11. England, ed., Essays in Labour Relations Law, (CCH, 1986)
12. Hébert et al., The State of the Art in Industrial Relations (Queen's, 1988)
13. Palmer B., Working Class: Rethinking the History of Canadian Labour Law 1800-1991 (McLelland-Stewart 1992)

B. American - collective Bargaining

1. Gorman, Basic Text on Labour Law (West, 1976)
2. Morris, The Developing Labour Law, 2nd ed. (BNA, 1984) (and supplements)
3. Gould, A Primer on Labor Law (MIT, 1982)
4. Atleson, Values and Assumptions in American Labor Law (U. Mass., 1983)
5. Wellington, Labor and the Legal Process (Yale, 1968)
6. Getman, Golberg and Herman, Union Representation Elections: Law and Reality (Russell Sage, 1976)
7. Weiler, Governing the Workplace: The Future of Labor and Employment Law (Harvard University Press, 1990)

C. Arbitration

1. Brown and Beatty, Canadian Labour Arbitration (Carswell)
2. Palmer, Collective Agreement Arbitration in Canada (2nd ed.)
3. Gorsky, Evidence and Procedure in Canadian Labour Arbitration (1981)
4. Adams, Grievance and Arbitration of Discharge Cases (Queen's, 1978)
5. Barnacle, Arbitration of Discharge Grievances in Ontario (Queen's, 1991)

D. Other

1. Freedland, The Contract of Employment (O.U.P., 1976)
2. Harris, Wrongful dismissal, 3rd ed.
3. Symposium in (1984), 51 U. Chicago Law Review
4. Davies and Freedland, Kahn-Freund's Labour and the Law, Third Edition (Stevens, 1983)
5. Tarnopolsky, Discrimination and the Law in Canada (De Boo, 1982)
6. Keane, Human Rights in Ontario (Carswell, 1983)
7. Ison, Workers Compensation in Canada (Butterworths, 1983)
8. Cuneo, Pay-Equity: The Labour-Feminist Challenge (Toronto: Oxford University Press, 1990)
9. Labour Law Under the Charter (Kingston: Queen's Law Journal, 1988

III. METHOD OF EVALUATION

Evaluation will be by written examination (one-half of final mark), and one essay (10 double-spaced pages — one-half of final mark) written during the term and handed in during the examination period. Late essays will be penalized.

SCHEDULE

Tuesdays 9:00 - 10:50
Thursdays 9:00 - 10:50

Session 1	Thurs. Sept. 8	Introduction: History Casebook: pp. 1-27
Session 2	Tue. Sept. 13	Overview: values and assumptions Casebook: pp. 27-64, 148-52
Session 3	Tues. Sept. 20	Common Law of Employment I Casebook: pp. 68-117
Session 4	Thurs. Sept. 22	Common Law of Employment II Casebook: pp. 117-147 Supplement: Machtinger v. Hoj
Session 5	Tues. Sept. 27	Scope of Collective Bargaining Law Casebook: pp. 192-255
Session 6	Thurs. Sept. 29	Unfair Labour Practices I Casebook: pp.272, 277-301
Session 7	Tues. Oct. 4	Unfair Labour Practices II Casebook: pp. 301-342
Session 8	Thurs. Oct. 6	Bargaining Unit Determination Casebook: pp. 343-394
Session 9	Tue. Oct. 11	Determining Employee Support Casebook: pp. 394-417
Session 10	Thurs. Oct. 13	Negotiations I Casebook: pp. 418-455
Session 11	Tues. Oct. 18	Negotiations II Casebook: pp. 455-502
Session 12	Thurs. Oct. 20	Industrial Conflict I Casebook: pp. 503-508, 526-558
Session 13	Tues. Oct. 25	Industrial Conflict II Casebook: pp. 559-582, 588-599, 606-610, 617-628

Session 14	Thurs. Oct. 27	Industrial Conflict III Casebook: pp. 629-662, 668-681
Session 15	Tues. Nov. 1.	Arbitration I Casebook: pp. 682-687, 705-737 Supplement: Wardair; CUPE v. Metropolitan Toronto
Session 16	Thurs. Nov. 3	Arbitration II Casebook: pp. 737-765, 783-789
Session 17	Tues. Nov. 8	Labour and Judicial Review Casebook: pp. 242-244, 795-807, 821-830 Supplement: Dayco v. C.A.W.; Paccar of Canada v. CAIMAW; Mossop v. Canada
Session 18	Thurs. Nov. 10	Labour and the Charter Casebook: pp. 509-526, 599-606, 685-686 Supplement: PIPS v. Northwest Territories; Ref. Re. Workers' Compensation Act
Session 19	Tues. Nov. 15	Internal Union Affairs I Casebook: pp. 808-849
Session 20	Thurs. Nov. 17	Internal Union Affairs II Casebook: pp. 849-893 Supplement: Lavigne v. O.P.S.E.U
Session 21	Tues. Nov. 22	Employment Standards I Casebook: pp. (21-27), 928-958, 965-973 Supplement: Re Falconbridge Nickle Mines Ltd; Machtinger v. Hoj; Slaight Communications Inc. v. Davidson
Session 22	Thurs. Nov. 24	Human Rights I Casebook: pp. 1001-1017 Supplement: City of Saskatoon v. Saskatchewan Human Rights Comm'n; City of Moosejaw v. Saskatchewan Human Rights Commission; Dickason v. University of Alberta
Session 23	Tue. Nov. 29	Human Rights II Supplement: Brooks v. Canada Safeway; Janzen v. Platy Enterprises; Central Alberta Dairy Pool v. Alberta Human Rights Comm

Session 24	Thurs. Dec. 1	Human Rights III Casebook: pp.1018-1027, 1059-1067 Supplement: Renaud v. Board of Education; Canada v. Mossop; Knodel v. B.C.; Chambly v. Bergevin
Session 25	Tues. Dec. 6	Pay Equity Casebook: pp. 1027-1049 Supplement: P. Weiler, "The Wages of Sex..."
Session 26	Tue. Dec. 8	Review
EXAMINATION	MONDAY, DECEMBER 12	

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4. Dayco (Canada) Ltd v. C.A.W., (1993) 102 D.L.R.(4th) 609 33

5. PIPS v Northwest Territories (1990), 72 D.L.R. (4th) 1 (S.C.C.) 50

6. Ref. Re Workers' Compensation Act (1983), 56 D.L.R. (4th) 765 (S.C.C.) 66

7. Lavigne v. OPSEU, 81 D.L.R. (4th) 545 67

8. Re Falconbridge Nickel Mines Ltd. (1983), 42 O.R. (2d) 179 (Ont. C.A.) 101

9. Machtinger v. Hoj [1992] 1 S.C.R. 986 105

10. Slaight Communications Inc. v. Davidson (1989), 59 D.L.R. (4th) 416 (S.C.C.) 117

11. City of Saskatoon v. Saskatchewan Human Rights Comm'n (1989), 65 D.L.R. (4th) 481 (S.C.C.) 135

12. City of Moosejaw v. Saskatchewan Human Rights Comm'n (1989), 65 D.L.R. (4th) 531 (S.C.C.) 142

13. Dickason v. University of Alberta 95 D.L.R. (4th) 439 146

14. Brooks v. Canada Safeway (1989), 59 D.L.R. (4th) 321 (S.C.C.) 171

15. Janzen v. Platy Enterprises (1989), 59 D.L.R. (4th) 352 (S.C.C.) 180

16. Renaud v. Board of Education of Central Okanagan et al. [1992] 2 S.C.R. 970 . 190

17. Central Alberta Dairy Pool v. Alberta Human Rights Commission (1990), 72 D.L.R. (4th) 417 (S.C.C.) 203

18. Mossop v. Canada [1993] 1 S.C.R. 554 219

19. Knodel v. British Columbia [1991] 6 W.W.R. 728 (B.C.S.C.) 231

20. Commission Scolaire Régionale de Chambly v. Bergevin S.C.C. June 23, 1994 241

21. Weiler, P. "The Wages of Sex: The Uses and Limits of Comparable Worth" (1986) 99 Harvard L.Rev. 1728 264